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the distances between the respective positions in the traffic messages and the position of this motor vehicle,

the distances determined are assigned to the traffic messages,

the traffic messages are sorted according to the distances assigned to them, and

the traffic messages are then output starting with that traffic message the distance assigned thereto is the smallest distance.

REMARKS

1. Claim 1 is amended. Claim 14 is new.

2. It is respectfully submitted that Sumizawa does not anticipate Applicant's invention under 35 U.S.C. §102(e). Applicant's invention according to claims 1 and 14 recites that the "traffic messages are sorted in accordance to the determined distances, and the traffic messages sorted according to distances are output starting with the smallest distance."

This is not disclosed or suggested by Sumizawa. Sumizawa merely calculates the distances between traffic hindrances and the vehicle, determines the nearest hindrance, and only presents that hindrance to the driver. (Abstract, lines 6-8, col. 8, lines 30-34).

Sumizawa discloses a vehicle navigation system which makes use of traffic messages for improving the route guidance process. In contrast, the present patent application does not deal with a

vehicle navigation/route guidance system, but rather with a system for outputting traffic information like traffic jams, detours, and so on.

In a larger percentage of daily travels, (e.g. from home to work and back) a driver usually does not need a vehicle navigation system because he knows his standard route and also alternative routes quite well. So in most of the cases a driver is just interested in receiving traffic information which is within an area around his/her vehicle and he/she would like to have this information prepared in a way that he/she can easily decide whether it is faster to choose an alternative route or to follow the standard route.

In the navigation system according to Sumizawa the navigation system receives traffic information during route guidance. The distances to the received traffic messages are calculated and the traffic message which is nearest to the guided vehicle (presumably a traffic hindrance on the calculated route) is issued as a voice report to the driver. (Col. 8, lines 1-35).

Sumizawa has several disadvantages that are overcome by Applicant's invention:

Only the nearest traffic hindrance is issued to the driver. This hindrance might be a quite short traffic jam and the driver decides to follow the route because he assumes that the rest of his route is free. Later on she/he might learn that a traffic jam at a more distant position is much longer, therefore the driver's decision, based on the nearest traffic message was wrong.

The driver needs to follow the route guidance of the navigation system. If she/he decides to use an alternative route the

navigation system needs to calculate a new route which might be done automatically after a while if the system detects that the driver has left the calculated route (this can be cumbersome for a driver because the navigation system might make attempts first to guide the driver back to the calculated route) or the driver might need to initiate a route re-calculation which means that she/he has to do some actions while driving.

In Applicant's invention on the other hand, the traffic information is sorted according to the distance to the vehicle and then output in the sorted order. This is very advantageous in comparison to Sumizawa. In particular, since the driver of a vehicle is not only informed about the nearest traffic hindrance but also the following traffic hindrances, he/she can make a better decision for choosing the fastest route.

Sumizawa does not disclose or suggest sorting the traffic messages according to the distance to the vehicle and presenting them to a driver in this order as recited in claims 1 and 14.

Therefore, claims 1 and 14 are not anticipated by Sumizawa under 35 U.S.C. §102(e).

3. Goss does not disclose or suggest Applicant's invention according to claims 1-14. Goss does not teach output sorting traffic messages according to distances starting with the smallest distance.

Goss' invention is based on a vehicle navigation system, which makes use of received traffic messages for calculating a route which gives the driver the possibility to reach his destination fast and safe.

In particular, Goss suggests, like Sumizawa, that the position of traffic messages is considered for route guidance purposes. In this respect Goss teaches that only those traffic messages shall be considered which are in a certain area around the guided vehicle. The reason is that the amount of received traffic messages can be very high and this could result to an "overload of the computer in the auto navigator" (see col. 2, lines 33-36), if no filtering is done first. Hence, Goss teaches a method for filtering traffic information messages according to certain area surrounding the guided vehicle, but not a method for sorting and outputting traffic information in a sorted order as is claimed by Applicant.

A major distinction between Applicant's invention and Goss is that in Goss the car computer must not be overloaded with traffic messages. Therefore, in Goss the position of traffic messages is considered. For fulfilling this requirement it is absolutely the same for the car computer whether the traffic messages are sorted according to the distance to the car or not. From this respect Goss does not disclose or suggest that the traffic messages can or should be sorted according to the vehicle position. Thus, Goss cannot anticipate Applicant's invention.

Sorting of traffic messages for Goss' invention is not only unnecessary but would just mean that the car navigator system has to process a completely needless task which further overloads the auto navigator system.

Furthermore, outputting traffic messages that are filtered as described above may be regarded as outputting "traffic messages based on distance of the present location of the traffic location' as indicated by the Examiner. However, filtering is

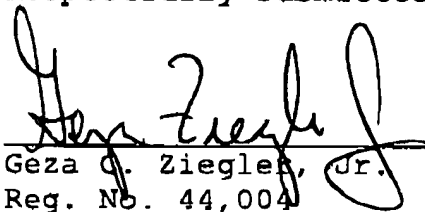
not comparable with sorting since the traffic messages will be output in the same order as received. Hence, traffic messages will be output in filtered but unsorted manner.

Therefore, we can say that Goss' teaching points in a different direction as the present invention and leads away therefrom. Consequently, Goss does not disclose or suggest Applicant's invention according to claims 1-14 under 35 U.S.C. §102(e).

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge the amount of \$920.00 for a three-month extension of time, together any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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Signature

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Name of Person Signing Certification

Application No.: 09/515,813

Marked Up Claim(s)

1. (Twice Amended) A method for outputting traffic information in a motor vehicle, in which

traffic messages are stored together with the respective position of the route section or point to which they relate,

the positions of the traffic messages are compared with the respective position of the motor vehicle in which the traffic information is to be output in order to determine the distances between the respective positions in the traffic messages and the position of this motor vehicle, [and]

the traffic messages are sorted in accordance to the determined distances, and

the traffic messages [are output] sorted according to distances[,]
are output starting with the smallest [distances] distance.